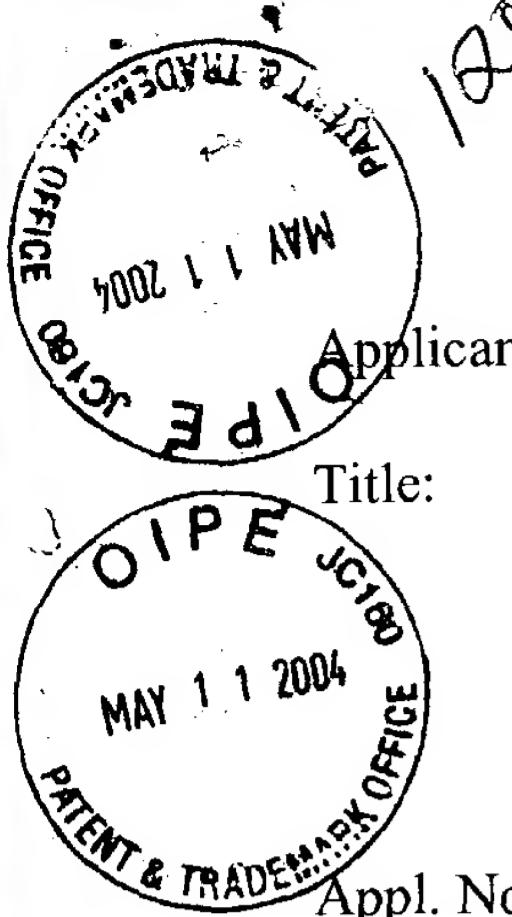


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jean-Claude CHERMANN et al.

Title: VACCINE AGAINST INFECTIOUS AGENTS HAVING  
AN INTRACELLULAR PHASE, COMPOSITION FOR  
THE TREATMENT AND PREVENTION OF HIV  
INFECTIONS, ANTIBODIES AND METHOD OF  
DIAGNOSIS

Appl. No.: 09/827,345

Appl. Filing Date: April 6, 2001

Examiner: M. G. Hill

Art Unit: 1648

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

**1. Submission required under 37 C.F.R. §1.114: (check items that apply)**

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on April 14, 2004, a courtesy copy of which is provided for the Examiner's convenience.

Please consider the Information Disclosure Statement previously filed on April 14, 2004, a courtesy copy of which is provided for the Examiner's convenience.

[ ] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

[ ] Other \_\_\_\_.

b. Enclosed are:

[ ] Amendment/Reply.

[ ] Affidavit(s)/Declaration(s).

[ X ] Information Disclosure Statement.

[ ] Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

[ ] Other .

Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	5	- 25	= 0	x \$18.00	= \$0.00
Independents	2	- 3	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$290.00	=	\$0.00
CLAIMS FEE TOTAL:					= \$770.00

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ]	Extension for response filed within the first month:	\$110.00	0	\$0.00
[ ]	Extension for response filed within the second month:	\$420.00		\$0.00
[ ]	Extension for response filed within the third month:	\$950.00		\$0.00
[ ]	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
[ X ]	Extension for response filed within the fifth month:	\$2,010.00		\$2,010.00
	EXTENSION FEE SUBTOTAL:			\$2,010.00
	EXTENSION FEE ALREADY PAID:			\$1,480.00
	EXTENSION FEE TOTAL			\$530.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$1300.00
[ ]	Small Entity Fees Apply (subtract ½ of above):			\$0.00
[ ]	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$1300.00

[ ] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[ X ] A check in the amount of \$1300.00 to cover the filing fee is enclosed.

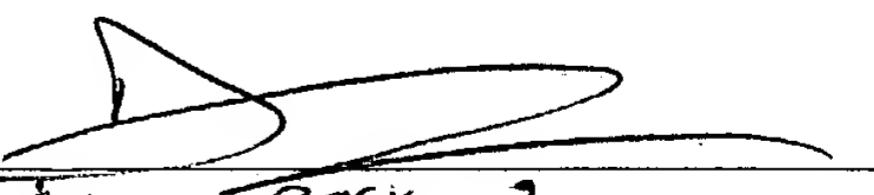
[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 11, 2004

FOLEY & LARDNER LLP  
Customer Number: 23533  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

By 

for Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264

Amy M. Rocklin  
Attorney for Applicant  
Registration No. 47,033



# COPY

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jean-Claude CHERMANN et al.

Title: VACCINE AGAINST INFECTIOUS AGENTS HAVING AN INTRACELLULAR PHASE, COMPOSITION FOR THE TREATMENT AND PREVENTION OF HIV INFECTIONS, ANTIBODIES AND METHOD OF DIAGNOSIS

Appl. No.: 09/827,345

Filing Date: April 6, 2001

Examiner: M. G. Hill

Art Unit: 1648

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Office Action dated July 14, 2003, concerning the above-referenced patent application.

A Notice of Appeal was filed on October 14, 2003. Applicants enclose with this amendment a four-month Petition for Extension of Time to make this response timely.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 3 of this document.

Please amend the application as follows: